

**IS IT NECESSARY FOR AN APPLICANT TO
RETAIN LEGAL COUNSEL?**

No. It is not essential to have a solicitor representing you, but it may be wise to do so.

IMPORTANT:

Should you become a victim of a crime of violence, report the occurrence promptly to the police.

Then make your application to the Criminal Injuries Compensation Board without delay. Do not wait for a conviction or other determination of the criminal charge by the courts.

**THE CRIMINAL INJURIES COMPENSATION
BOARD** is located at:
439 University Avenue, 17th Floor,
Toronto, Ontario,
M5G 1Y8

Telephone: (416) 965-4755

The staff is available from 8:45 a.m. until 5:00 p.m. Monday through Friday, and they will be pleased to answer any inquiry you may have and/or forward an application form upon request.



Ontario

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**"WHO CARES
FOR
VICTIMS OF CRIME?"**

Hon. R. Roy McMurtry
Attorney General

The Criminal Injuries
Compensation Board
Allan Grossman
Chairman

WHO CARES FOR THE VICTIMS OF CRIME?

We in Ontario are fortunate to enjoy a high standard of law enforcement throughout the province. Nonetheless, the Government of Ontario recognizes the need for compassionate and deserving assistance to those people who unfortunately become the victims of crimes of violence and has established the Criminal Injuries Compensation Board to look after this need. This Board is authorized to award compensation to such victims of crimes of violence, committed within the province, and which result in personal injuries or death. The crime must be one which is an offence against the criminal code of Canada.

WHO MAY BE ELIGIBLE FOR COMPENSATION?

1. The innocent victim.
2. The person responsible for the cost of providing for the victim.
3. Where the victim dies any dependant of the victim.
4. Where the victim dies any person who incurs expenses on behalf of the victim or his estate as the result of the victim's injury or death.
5. The person responsible for the maintenance (support) of a child born as a result of rape.

WHAT TYPE OF OCCURRENCE WOULD QUALIFY FOR COMPENSATION?

1. Where a person is injured or is killed as a result of such offences as assault, wounding, murder, rape or various other acts of a like nature.
2. Injuries received while assisting a peace officer in the performance of his duties.

3. Where an injury is sustained while lawfully arresting or attempting to arrest, a person committing, or upon reasonable and probable grounds, appears to be about to commit, a crime against some other person.
4. Injuries sustained while preventing or attempting to prevent an offence against another person. (However, when it appears you may become involved in preventing or attempting to prevent a criminal act, you are urged to use caution and common sense, and above all seek professional help as quickly as possible).

WHAT COULD COMPENSATION INCLUDE?

1. Actual and reasonable expenses paid out as a result of an injury or death; such as, medical bills, prescription drugs, dentures or eye-glasses, funeral expenses, etc., but personal items, such as, clothing, cash or jewelry, etc., are not considered to be an allowable expense, nor is damage to real property.
2. Net salary or wages lost as a result of the victim's inability to work as a direct result of the injury.
3. Monetary loss incurred by dependants (wife, husband, daughter or son, etc.) as a result of the victim's death.
4. Pain and suffering.
5. Maintenance of a child born as a result of rape.
6. Other monetary loss resulting from the victim's injury and any other expense that, in the opinion of the Board, is reasonable.

Benefits received by the applicant from other sources; such as an insurance plan, OHIP, Workman's Compensation, UIC, Welfare and Canada Pension Plan, etc., will not be duplicated in an award.

HOW IS THE AMOUNT OF COMPENSATION DETERMINED?

Members of the Board (sometimes one - generally two) will hear the applicant's claim in an informal and uncomplicated proceeding. The nature of the hearing is designed to put the applicant at ease and to promote a free and honest review of the application.

The applicant must provide the Board with documentary proof; such as medical reports, receipts or bills for out-of-pocket expenses, employer's statement of lost wages, etc., in order to prove any claim made in the application.

WHAT OTHER ASPECTS ARE REVIEWED IN DETERMINING IF COMPENSATION SHOULD BE AWARDED AND THE AMOUNT OF THE AWARD IF THE APPLICANT IS FOUND COMPENSABLE?

The board will examine all relevant circumstances including any aspect of the victim's behaviour which may have, directly or indirectly contributed to the injury or death.

The Board may reduce or refuse an award where, in it's opinion, the applicant failed to promptly report the offence to, or refused reasonable co-operation with, a law enforcement agency.

IS THERE A PERIOD OF TIME WITHIN WHICH AN APPLICATION MUST BE MADE?

Yes, WITHIN ONE YEAR of the date of the injury or death. Where there are special circumstances, the Board may, upon application, exercise it's discretion and extend the period, but it is important to submit an application promptly.